

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
 V.) Criminal No. 07-94
)
JOSEPH SIMON)

**POSITION OF DEFENDANT WITH
RESPECT TO SENTENCING FACTORS**

AND NOW, comes the defendant, Joseph Simon, by his attorney, Michael J. Novara, First Assistant Federal Public Defender, and respectfully files this Position of Defendant with Respect to Sentencing Factors pursuant to Local Rule 32.1.

1. Mr. Simon and undersigned counsel have received the Presentence Report ("Report") prepared in this matter, and have no objections to the guideline calculations contained therein. However, Defendant reserves the right to file a memorandum in aid of sentencing.

2. Undersigned counsel has conferred with Assistant United States Attorney Soo Song and United States Probation Officer Lawrence Harkins and informed them of Mr. Simon's position.

Respectfully submitted,

s\ Michael J. Novara

Michael J. Novara
First Assistant Federal Public Defender
Attorney I.D. No. 66434